

ESTTA Tracking number: **ESTTA595427**

Filing date: **03/28/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91211247
Party	Plaintiff Sazerac Company, Inc.
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Submission	Withdrawal of Opposition
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Date	03/28/2014
Attachments	BOURBON_S_BIRTHPLACE_stipulated_withdrawal_of_app_and_dismissal.pdf (65083 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 85/809,765
For the trademark Bourbon's Birthplace
Published in the Official Gazette of May 7, 2013

SAZERAC COMPANY, INC.)	
)	
Opposer,)	
)	
v.)	Opposition No. 91211247
)	
THE OLD POGUE DISTILLERY, LLC)	
)	
Applicant)	
_____)	

**STIPULATED WITHDRAWAL OF APPLICATION WITH PREDJUDICE AND
DISMISSAL OF OPPOSITION WITHOUT PREJUDICE**

The parties in this opposition have reached a settlement of the dispute. Pursuant to the settlement between the parties, the Applicant The Old Pogue Distillery, LLC hereby abandons Application Serial No. 85/809,765, with prejudice, with consent of Opposer Sazerac Company, Inc. See TBMP § 602.01; 37 CFR § 2.68; 37 CFR § 2.135. The parties request that the opposition be dismissed without prejudice.

Respectfully submitted,

Schultz & Pogue, LLP

Dated: March 28, 2014

By: //Peter H. Pogue//
Peter H. Pogue
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Cooley LLP

Dated: March 28, 2014

By: /John Paul Oleksiuk/
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John Paul Oleksiuk
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CERTIFICATE OF SERVICE

I hereby certify that on the date below, I mailed the foregoing **STIPULATED WITHDRAWAL OF APPLICATION WITH PREJUDICE AND DISMISSAL WITHOUT PREJUDICE** by depositing a true and correct copy of the same with the United States Postal Service, first class mail, postage prepaid, in an envelope addressed to:

PETER H POGUE
SCHULTZ & POGUE, LLP
520 INDIANA AVE
INDIANAPOLIS, IN 46202-3106
UNITED STATES

Date: March 28, 2014

/John Paul Oleksiuk/

John Paul Oleksiuk